PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
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Agrawal, Sudhir

1635

(to be used for a	all correspondence after initial	filigas S	Examiner Name			Te	erra C. Gibbs	
(to be used for all correspondence after initial filings) Total Number of Pages in This Submission			Attorney Docket Number		047508.518US8 HYZ-030CPCN3			
ENCLOSURES (Check all that apply)								
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Printed name			Kerner, Ph.D.					
Date	12	2/07/200)4	Reg. No.			33,523	
CERTIFICATE OF TRANSMISSION/MAILING								
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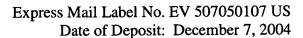
Filing Date

Art Unit

First Named Inventor

FORN

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Agrawal, Sudhir

Serial No.:

09/777,526

Examiner:

Terra C. Gibbs

Filed:

February 6, 2001

Group Art Unit: 1635

For:

Method of Down-Regulating

Conf. No.: 8659

Gene Expression

Atty. Docket No.:

HYZ-030CPCN3 47508.518

Customer No.: 23483

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants and their legal representatives hereby make of record on the attached Form PTO-1449 the following publication which is known to them and considered warranting disclosure under 37 C.F.R. §1.56 and 1.97-98. The publication is a published application that corresponds to an application that is co-pending with the instant application. A copy of the cited patent application publication is not submitted pursuant to 37 C.F.R. §1.98(a)(2)(ii).

The instant application is terminally disclaimed over U.S. Patent No. 5,591,721.

U.S. patent application publication No. 2004-0033980 published February 19, 2004, based on U.S. Serial No. 10/640,898, filed August 14, 2003, cited herein, as well as the instant application, claim priority to the same original parent patent application. The instant application is a continuation of U.S. Serial No. 08/758,005, filed November 27, 1996, which is a continuation-in-part of U.S. patent application Serial No. 08/709,910, filed September 9, 1996 (now abandoned), which is a continuation-in-part of U.S. patent application Serial No. 08/328,520, filed October 25, 1994, which issued as U.S. Patent No. 5,591,721. Issued U.S. Patent Nos. 6,608,035 and 6,645,943 also are continuations of U.S. Serial No. 08/758,005.

Serial No. 09/777,526 Agrawal, et al. Page 2

It is respectfully requested that the Examiner initial and return a copy of the subject Form PTO-1449 with the next Patent Office communication.

The submission of these publications does not constitute a representation by the Applicants that a search has been made or that no better art exists and does not constitute an admission that the listed publications are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed publications, should one or more of the publications be applied against the claims of the present application.

As it is applicants' belief that the Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. §1.97(b)(4), before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114, no fee is enclosed. However, in the event a fee is due, please charge any fee deficiency or credit any overpayment to Deposit Account No. <u>08-0219</u>.

Respectfully submitted,

Dated: December 7, 2004

Ann-Louise Kerner, Ph.D. Registration No. 33,523 Attorney for Applicants

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PTO/SB/08A (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

	Con	ipiete ii Known
	Application Number	09/777,526
	Filing Date	February 6, 2001
	First Named Inventor	Agrawal, et al.
	Art Unit	1635
	Examiner Name	Terra C. Gibbs
enterij.	Attorney Docket Number	HYZ-030CPCN3 47508.518

			U. S. PATEN	DOCUMENTS		
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	 	US- 0004 000000	02-19-2004	Agrawal, et al.		
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FOREIGN PATENT DOCUMENTS								
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language

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